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Item 8 of the provisional agenda

CONSIDERATION OF A PERMANENT FORUM FOR INDIGENOUS PEOPLE

Note by the Secretariat

Addendum

Compilation of extracts of declarations and programmes of action pertaining to indigenous people from high-level United Nations Conferences

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Introduction

1. In its resolution 50/157 of 21 December 1995, the General Assembly recommended that the Secretary-General undertake a review, in close consultation with Governments and taking into account the views of indigenous people, of the existing mechanisms, procedures and programmes within the United Nations concerning indigenous people, and report to the General Assembly at its fifty-first session.

2. The Assembly also recommended that the Secretary-General ensure coordinated follow-up to the recommendations concerning indigenous people of relevant world conferences, namely, the World Conference on Human Rights (Vienna, 14-25 June 1993), the United Nations Conference on Environment and Development (Rio de Janeiro, 3-14 June 1992), the International Conference on Population and Development (Cairo, 5-13 September 1994), the Fourth World Conference on Women (Beijing, 4-15 September 1995) and the World Summit for Social Development (Copenhagen, 6-12 March 1995).

3. In its resolution 1996/41 the Commission on Human Rights welcomed the General Assembly recommendations. The Commission also urged the relevant United Nations bodies, specialized agencies and financial institutions responsible for the relevant existing mechanisms, procedures and programmes to facilitate the completion of the review in accordance with General Assembly resolution 50/157.

4. The Commission on Human Rights requested, in particular, the Working Group on Indigenous Populations to place the Working Group's own contribution to the review of existing mechanisms, procedures and programmes concerning indigenous people on the agenda of its fourteenth session.

5. The present compilation, containing (a) extracts of declarations and programmes of action pertaining to indigenous peoples of United Nations high-level conferences and (b) conclusions and recommendations of United Nations meetings of experts on issues relating to indigenous peoples, is made in order to facilitate discussions at the fourteenth session of the Working Group on Indigenous Populations.

6. The conclusions and recommendations of United Nations meetings of experts are quoted in full in this compilation (contained in E/CN.4/Sub.2/AC.4/1996/5/Add.2), whereas the declarations and programmes of action of the high-level conferences are selected extracts. The declarations and programmes of action of the high-level conferences may also have other parts that are of interest and relevance to indigenous people than the selected principal parts.

7. The declaration and any relevant extracts of a programme of action pertaining to indigenous peoples from the United Nations Conference on Human Settlement (Habitat II), held in Istanbul from 3 to 14 June 1996, will be included as an addendum to this compilation. The conclusions and recommendations on indigenous land rights and claims adopted at the meeting in Whitehorse, Canada (1996) are contained in document E/CN.4/Sub.2/AC.4/1996/6.

I. UNITED NATIONS CONFERENCE ON ENVIRONMENT AND DEVELOPMENT

A. Rio Declaration on Environment and Development

Having met at Rio de Janeiro from 3 to 14 June 1992,

Reaffirming the Declaration on the United Nations Conference on the Human Environment, adopted at Stockholm on 16 June 1972, and seeking to build upon it,

With the goal of establishing a new and equitable global partnership through the creation of new levels of cooperation among States, key sectors of societies and people,

Working towards international agreements which respect the interests of all and protect the integrity of the global environmental and developmental system,

Recognizing the integral and interdependent nature of the Earth, our home,

Proclaims that:

Principle 1

Human beings are at the centre of concerns for sustainable development. They are entitled to a healthy and productive life in harmony with nature.

Principle 2

States have, in accordance with the Charter of the United Nations and the principles of international law, the sovereign right to exploit their own resources pursuant to their own environmental and developmental policies, and the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction.

Principle 3

The right to development must be fulfilled so as to equitably meet developmental and environmental needs of present and future generations.

Principle 4

In order to achieve sustainable development, environmental protection shall constitute an integral part of the development process and cannot be considered in isolation from it.

Principle 5

All States and all people shall cooperate in the essential task of eradicating poverty as an indispensable requirement for sustainable development, in order to decrease the disparities in standards of living and better meet the needs of the majority of the people of the world.

Principle 6

The special situation and needs of developing countries, particularly the least developed and those most environmentally vulnerable, shall be given special priority. International actions in the field of environment and development should also address the interests and needs of all countries.

Principle 7

States shall cooperate in a spirit of global partnership to conserve, protect and restore the health and integrity of the Earth's ecosystem. In view of the different contributions to global environmental degradation, States have common but differentiated responsibilities. The developed countries acknowledge the responsibility that they bear in the international pursuit of sustainable development in view of the pressures their societies place on the global environment and of the technologies and financial resources they command.

Principle 8

To achieve sustainable development and a higher quality of life for all people, States should reduce and eliminate unsustainable patterns of production and consumption and promote appropriate demographic policies.

Principle 9

States should cooperate to strengthen endogenous capacity-building for sustainable development by improving scientific understanding through exchanges of scientific and technological knowledge, and by enhancing the development, adaptation, diffusion and transfer of technologies, including new and innovative technologies.

Principle 10

Environmental issues are best handled with the participation of all concerned citizens, at the relevant level. At the national level, each individual shall have appropriate access to information concerning the environment that is held by public authorities, including information on hazardous materials and activities in their communities, and the opportunity to participate in decision-making processes. States shall facilitate and encourage public awareness and participation by making information widely available. Effective access to judicial and administrative proceedings, including redress and remedy, shall be provided.

Principle 11

States shall enact effective environmental legislation. Environmental standards, management objectives and priorities should reflect the environmental and developmental context to which they apply. Standards applied by some countries may be inappropriate and of unwarranted economic and social cost to other countries, in particular developing countries.

Principle 12

States should cooperate to promote a supportive and open international economic system that would lead to economic growth and sustainable development in all countries, to better address the problems of environmental degradation. Trade policy measures for environmental purposes should not constitute a means of arbitrary or unjustifiable discrimination or a disguised restriction on international trade. Unilateral actions to deal with environmental challenges outside the jurisdiction of the importing country should be avoided. Environmental measures addressing transboundary or global environmental programmes should, as far as possible, be based on an international consensus.

Principle 13

States shall develop national law regarding liability and compensation for the victims of pollution and other environmental damage. States shall also cooperate in an expeditious and more determined manner to develop further international law regarding liability and compensation for adverse effects of environmental damage caused by activities within their jurisdiction or control to areas beyond their jurisdiction.

Principle 14

States should effectively cooperate to discourage or prevent the relocation and transfer to other States of any activities and substances that cause severe environmental degradation or are found to be harmful to human health.

Principle 15

In order to protect the environment, the precautionary approach shall be widely applied by States according to their capabilities. Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation.

Principle 16

National authorities should endeavour to promote the internalization of environmental costs and the use of economic instruments, taking into account the approach that the polluter should, in principle, bear the cost of pollution, with due regard to the public interest and without distorting international trade and investment.

Principle 17

Environmental impact assessment, as a national instrument, shall be undertaken for proposed activities that are likely to have a significant adverse impact on the environment and are subject to a decision of a competent national authority.

Principle 18

States shall immediately notify other States of any natural disasters or other emergencies that are likely to produce sudden harmful effects on the environment of those States. Every effort shall be made by the international community to help States so afflicted.

Principle 19

States shall provide prior and timely notification and relevant information to potentially affected States on activities that may have a significant adverse transboundary environmental effect and shall consult with those States at an early stage and in good faith.

Principle 20

Women have a vital role in environmental management and development. Their full participation is therefore essential to achieve sustainable development.

Principle 21

The creativity, ideals and courage of the youth of the world should be mobilized to forge a global partnership in order to achieve sustainable development and ensure a better future for all.

Principle 22

Indigenous people and their communities and other local communities have a vital role in environmental management and development because of their knowledge and traditional practices. States should recognize and duly support their identity, culture and interests and enable their effective participation in the achievement of sustainable development.

Principle 23

The environment and natural resources of people under oppression, domination and occupation shall be protected.

Principle 24

Warfare is inherently destructive of sustainable development. States shall therefore respect international law providing protection for the environment in times of armed conflict and cooperate in its further development, as necessary.

Principle 25

Peace, development and environmental protection are interdependent and indivisible.

Principle 26

States shall resolve all their environmental disputes peacefully and by appropriate means in accordance with the Charter of the United Nations.

Principle 27

States and people shall cooperate in good faith and in a spirit of partnership in the fulfilment of the principles embodied in this Declaration and in the further development of international law in the field of sustainable development.

B. Agenda 21: Programme of Action for Sustainable Development

1. Chapter 10 - Integrated approach to the planning and management of land resources

Introduction

10.1 Land is normally defined as a physical entity in terms of its topography and spatial nature; a broader integrative view also includes natural resources: the soils, minerals, water and biota that the land comprises. These components are organized in ecosystems which provide a variety of services essential to the maintenance of the integrity of life-support systems and the productive capacity of the environment. Land resources are used in ways that take advantage of all these characteristics. Land is a finite resource, while the natural resources it supports can vary over time and according to management conditions and uses. Expanding human requirements and economic activities are placing ever increasing pressures on land resources, creating competition and conflicts and resulting in suboptimal use of both land and land resources. If, in the future, human requirements are to be met in a sustainable manner, it is now essential to resolve these conflicts and move towards more effective and efficient use of land and its natural resources. Integrated physical and land-use planning and management is an eminently practical way to achieve this. By examining all uses of land in an integrated manner, it makes it possible to minimize conflicts, to make the most efficient trade-offs and to link social and economic development with environmental protection and enhancement, thus helping to achieve the objectives of sustainable development. The essence of the integrated approach finds expression in the coordination of the sectoral planning and management activities concerned with the various aspects of land use and land resources.

10.2 The present chapter consists of one programme area, the integrated approach to the planning and management of land resources, which deals with the reorganization and, where necessary, some strengthening of the decision-making structure, including existing policies, planning and management procedures and methods that can assist in putting in place an integrated approach to land resources. It does not deal with the operational

aspects of planning and management, which are more appropriately dealt with under the relevant sectoral programmes. Since the programme deals with an important cross-sectoral aspect of decision-making for sustainable development, it is closely related to a number of other programmes that deal with that issue directly.

Programme area

Integrated approach to the planning and management of land resources

Basis for action

10.3 Land resources are used for a variety of purposes which interact and may compete with one another; therefore, it is desirable to plan and manage all uses in an integrated manner. Integration should take place at two levels, considering, on the one hand, all environmental, social and economic factors (including, for example, impacts of the various economic and social sectors on the environment and natural resources) and, on the other, all environmental and resource components together (i.e., air, water, biota, land and geological and natural resources). Integrated consideration facilitates appropriate choices and trade-offs, thus maximizing sustainable productivity and use. Opportunities to allocate land to different uses arise in the course of major settlement or development projects or in a sequential fashion as lands become available on the market. This in turn provides opportunities to support traditional patterns of sustainable land management or to assign protected status for conservation of biological diversity or critical ecological services.

10.4 A number of techniques, frameworks and processes can be combined to facilitate an integrated approach. They are the indispensable support for the planning and management process, at the national and local levels and ecosystem or area levels, and for the development of specific plans of action. Many of its elements are already in place but need to be more widely applied, further developed and strengthened. This programme area is concerned primarily with providing a framework that will coordinate decision-making; the content and operational functions are therefore not included here but are dealt with in the relevant sectoral programmes of Agenda 21.

Objectives

10.5 The broad objective is to facilitate allocation of land to the uses that provide the greatest sustainable benefits and to promote the transition to a sustainable and integrated management of land resources. In doing so, environmental, social and economic issues should be taken into consideration. Protected areas, private property rights, the rights of indigenous people and their communities and other local communities and the economic role of women in agriculture and rural development, among other issues, should be taken into account. In more specific terms, the objectives area as follows:

(a) To review and develop policies to support the best possible use of land and the sustainable management of land resources, by not later than 1996;

(b) To improve and strengthen planning, management and evaluation systems for land and land resources, by not later than 2000;

(c) To strengthen institutions and coordinating mechanisms for land and land resources, by not later than 1998;

(d) To create mechanisms to facilitate the active involvement and participation of all concerned, particularly communities and people at the local level, in decision-making on land use and management, by not later than 1996.

Activities

(a) Management-related activities

Developing supportive policies and policy instruments

10.6 Governments at the appropriate level, with the support of regional and international organizations, should ensure that policies and policy instruments support the best possible land use and sustainable management of land resources. Particular attention should be given to the role of agricultural land. To do this, they should:

(a) Develop integrated goal-setting and policy formulation at the national, regional and local levels that takes into account environmental, social, demographic and economic issues;

(b) Develop policies that encourage sustainable land use and management of land resources and take the land resource base, demographic issues and the interests of the local population into account;

(c) Review the regulatory framework, including laws, regulations and enforcement procedures, in order to identify improvements needed to support sustainable land use and management of land resources and restrict the transfer of productive arable land to other uses;

(d) Apply economic instruments and develop institutional mechanisms and incentives to encourage the best possible land use and sustainable management of land resources;

(e) Encourage the principle of delegating policy-making to the lowest level of public authority consistent with effective action and a locally driven approach.

Strengthening planning and management systems

10.7 Governments at the appropriate level, with the support of regional and international organizations, should review and, if appropriate, revise planning and management systems to facilitate an integrated approach. To do this, they should:

(a) Adopt planning and management systems that facilitate the integration of environmental components such as air, water, land and other natural resources, using landscape ecological planning (LANDEP) or other approaches that focus on, for example, an ecosystem or a watershed;

(b) Adopt strategic frameworks that allow the integration of both developmental and environmental goals; examples of these frameworks include sustainable livelihood systems, rural development, the World Conservation Strategy/Caring for the Earth, primary environmental care (PEC) and others;

(c) Establish a general framework for land-use and physical planning within which specialized and more detailed sectoral plans (e.g., for protected areas, agriculture, forests, human settlements, rural development) can be developed; establish intersectoral consultative bodies to streamline project planning and implementation;

(d) Strengthen management systems for land and natural resources by including appropriate traditional and indigenous methods; examples of these practices include pastoralism, Hema reserves (traditional Islamic land reserves) and terrace agriculture;

(e) Examine and, if necessary, establish innovative and flexible approaches to programme funding;

(f) Compile detailed land capability inventories to guide sustainable land resources allocation, management and use at the national and local levels.

Promoting application of appropriate tools for planning and management

10.8 Governments at the appropriate level, with the support of national and international organizations, should promote the improvement, further development and widespread application of planning and management tools that facilitate an integrated and sustainable approach to land and resources. To do this, they should:

(a) Adopt improved systems for the interpretation and integrated analysis of data on land use and land resources;

(b) Systematically apply techniques and procedures for assessing the environmental, social and economic impacts, risks, costs and benefits of specific actions;

(c) Analyse and test methods to include land and ecosystem functions and land resources values in national accounts.

Raising awareness

10.9 Governments at the appropriate level, in collaboration with national institutions and interest groups and with the support of regional and international organizations, should launch awareness-raising campaigns to alert and educate people concerning the importance of integrated land and land

resources management and the role that individuals and social groups can play in it. This should be accompanied by provision of the means to adopt improved practices for land use and sustainable management.

Promoting public participation

10.10 Governments at the appropriate level, in collaboration with national organizations and with the support of regional and international organizations, should establish innovative procedures, programmes, projects and services that facilitate and encourage the active participation of those affected in the decision-making and implementation process, especially of groups that have hitherto often been excluded, such as women, youth, indigenous people and their communities and other local communities.

(b) Data and information

Strengthening information systems

10.11 Governments at the appropriate level, in collaboration with national institutions and the private sector and with the support of regional and international organizations, should strengthen the information systems necessary for making decisions and evaluating future changes on land use and management. The needs of both men and women should be taken into account. To do this, they should:

(a) Strengthen information, systematic observation and assessment systems for environmental, economic and social data related to land resources at the global, regional, national and local levels and for land capability and land-use and management patterns;

(b) Strengthen coordination between existing sectoral data systems on land and land resources and strengthen national capacity to gather and assess data;

(c) Provide the appropriate technical information necessary for informed decision-making on land use and management in an accessible form to all sectors of the population, especially to local communities and women;

(d) Support low-cost, community-managed systems for the collection of comparable information on the status and processes of change of land resources, including soils, forest cover, wildlife, climate and other elements.

(c) International and regional coordination and cooperation

Establishing regional machinery

10.12 Governments at the appropriate level, with the support of regional and international organizations, should strengthen regional cooperation and exchange of information on land resources. To do this, they should:

(a) Study and design regional policies to support programmes for land-use and physical planning;

(b) Promote the development of land-use and physical plans in the countries of the region;

(c) Design information systems and promote training;

(d) Exchange, through networks and other appropriate means, information on experiences with the process and results of integrated and participatory planning and management of land resources at the national and local levels.

Means of implementation

(a) Financing and cost evaluation

10.13 The Conference secretariat has estimated the average total annual cost (1993-2000) of implementing the activities of this programme to be about $50 million from the international community on grant or concessional terms. These are indicative and order-of-magnitude estimates only and have not been reviewed by Governments. Actual costs and financial terms, including any that are non-concessional, will depend upon, inter alia, the specific strategies and programmes Governments decide upon for implementation.

(b) Scientific and technological means

Enhancing scientific understanding of the land resources systems

10.14 Governments at the appropriate level, in collaboration with the national and international scientific community and with the support of appropriate national and international organizations, should promote and support research, tailored to local environments, on the land resources system and the implications for sustainable development and management practices. Priority should be given, as appropriate, to:

(a) Assessment of land potential capability and ecosystem functions;

(b) Ecosystemic interactions and interactions between land resources and social, economic and environmental systems;

(c) Developing indicators of sustainability for land resources, taking into account environmental, economic, social, demographic, cultural and political factors.

Testing research findings through pilot projects

10.15 Governments at the appropriate level, in collaboration with the national and international scientific community and with the support of the relevant international organizations, should research and test, through pilot projects, the applicability of improved approaches to the integrated planning and management of land resources, including technical, social and institutional factors.

(c) Human resource development

Enhancing education and training

10.16 Governments at the appropriate level, in collaboration with the appropriate local authorities, non-governmental organizations and international institutions, should promote the development of the human resources that are required to plan and manage land and land resources sustainably. This should be done by providing incentives for local initiatives and by enhancing local management capacity particularly of women, through:

(a) Emphasizing interdisciplinary and integrative approaches in the curricula of schools and technical, vocational and university training;

(b) Training all relevant sectors concerned to deal with land resources in an integrated and sustainable manner;

(c) Training communities, relevant extension services, community-based groups and non-governmental organizations on land management techniques and approaches applied successfully elsewhere.

(d) Capacity-building

Strengthening technological capacity

10.17 Governments at the appropriate level, in cooperation with other Governments and with the support of relevant international organizations, should promote focused and concerted efforts for education and training and the transfer of techniques and technologies that support the various aspects of the sustainable planning and management process at the national, State/provincial and local levels.

Strengthening institutions

10.18 Governments at the appropriate level, with the support of appropriate international organizations, should:

(a) Review and, where appropriate, revise the mandates of institutions that deal with land and natural resources to include explicitly the interdisciplinary integration of environmental, social and economic issues;

(b) Strengthen coordinating mechanisms between institutions that deal with land-use and resources management to facilitate integration of sectoral concerns and strategies;

(c) Strengthen local decision-making capacity and improve coordination with higher levels.

2. Chapter 15 - Conservation of biological diversity

Introduction

15.1 The objectives and activities in this chapter of Agenda 21 are intended to improve the conservation of biological diversity and the sustainable use of biological resources, as well as to support the Convention on Biological Diversity.

15.2 Our planet's essential goods and services depend on the variety and variability of genes, species, populations and ecosystems. Biological resources feed and cloth us and provide housing, medicines and spiritual nourishment. The natural ecosystems of forests, savannahs, pastures and rangelands, deserts, tundras, rivers, lakes and seas contain most of the Earth's biodiversity. Farmers' fields and gardens are also of great importance as repositories, while gene banks, botanical gardens, zoos and other germplasm repositories make a small but significant contribution. The current decline in biodiversity is largely the result of human activity and represents a serious threat to human development.

Programme area

Conservation of biological diversity

Basis for action

15.3 Despite mounting efforts over the past 20 years, the loss of the world's biological diversity, mainly from habitat destruction, over-harvesting, pollution and the inappropriate introduction of foreign plants and animals, has continued. Biological resources constitute a capital asset with great potential for yielding sustainable benefits. Urgent and decisive action is needed to conserve and maintain genes, species and ecosystems, with a view to the sustainable management and use of biological resources. Capacities for the assessment, study and systematic observation and evaluation of biodiversity need to be reinforced at national and international levels. Effective national action and international cooperation is required for the in situ protection of ecosystems, for the ex situ conservation of biological and genetic resources and for the enhancement of ecosystem functions. The participation and support of local communities are elements essential to the success of such an approach. Recent advances in biotechnology have pointed up the likely potential for agriculture, health and welfare and for the environmental purposes of the genetic material contained in plants, animals and micro-organisms. At the same time, it is particularly important in this context to stress that States have the sovereign right to exploit their own biological resources pursuant to their environmental policies, as well as the responsibility to conserve their biodiversity and use their biological resources sustainably, and to ensure that activities within their jurisdiction or control do not cause damage to the biological diversity of other States or of areas beyond the limits of national jurisdiction.

Objectives

15.4 Governments at the appropriate level, with the cooperation of the relevant United Nations bodies and regional, intergovernmental and non-governmental organizations, the private sector and financial institutions, and taking into consideration indigenous people and their communities, as well as social and economic factors should:

(a) Press for the early entry into force of the Convention on Biological Diversity, with the widest possible participation;

(b) Develop national strategies for the conservation of biological diversity and the sustainable use of biological resources;

(c) Integrate strategies for the conservation of biological diversity and the sustainable use of biological resources into national development strategies and/or plans;

(d) Take appropriate measures for the fair and equitable sharing of benefits derived from research and development and use of biological and genetic resources, including biotechnology, between the sources of those resources and those who use them;

(e) Carry out country studies, as appropriate, on the conservation of biological diversity and the sustainable use of biological resources, including analyses of relevant costs and benefits, with particular reference to socio-economic aspects;

(f) Produce regularly updated world reports on biodiversity based upon national assessment;

(g) Recognize and foster the traditional methods and the knowledge of indigenous people and their communities, emphasizing the particular role of women, relevant to the conservation of biological diversity and the sustainable use of biological resources, and ensure the opportunity for the participation of those groups in the economic and commercial benefits derived from the use of such traditional methods and knowledge;

(h) Implement mechanisms for the improvement, generation, development and sustainable use of biotechnology and its safe transfer, particularly to developing countries, taking account the potential contribution of biotechnology to the conservation of biological diversity and the sustainable use of biological resources;

(i) Promote broader international and regional cooperation in furthering scientific and economic understanding of the importance of biodiversity and its functions in ecosystems;

(j) Develop measures and arrangements to implement the rights of countries of origin of genetic resources or countries providing genetic resources, as defined in the Convention on Biological Diversity, particularly developing countries, to benefit from the biotechnological development and the commercial utilization of products derived from such resources.

Activities

(a) Management-related activities

15.5 Governments at the appropriate levels, consistent with national policies and practices, with the cooperation of the relevant United Nations bodies and, as appropriate, intergovernmental organizations and, with the support of indigenous people and their communities, non-governmental organizations and other groups, including the business and scientific communities, and consistent with the requirements of international law, should as appropriate:

(a) Develop new or strengthen existing strategies, plans or programmes of action for the conservation of biological diversity and the sustainable use of biological resources, taking account of education and training needs;

(b) Integrate strategies for the conservation of biological diversity and the sustainable use of biological and genetic resources into relevant sectoral or cross-sectoral plans, programmes and policies, with particular reference to the special importance of terrestrial and aquatic biological and genetic resources for food and agriculture;

(c) Undertake country studies or use other methods to identify components of biological diversity important for its conservation and for the sustainable use of biological resources, ascribe values to biological and genetic resources, identify processes and activities with significant impacts upon biological diversity, evaluate the potential economic implications of the conservation of biological diversity and the sustainable use of biological and genetic resources, and suggest priority action;

(d) Take effective economic, social and other appropriate incentive measures to encourage the conservation of biological diversity and the sustainable use of biological resources, including the promotion of sustainable production systems, such as traditional methods of agriculture, agroforestry, forestry, range and wildlife management, which use, maintain or increase biodiversity;

(e) Subject to national legislation, take action to respect, record, protect and promote the wider application of the knowledge, innovations and practices of indigenous and local communities embodying traditional lifestyles for the conservation of biological diversity and the sustainable use of biological resources, with a view to the fair and equitable sharing of the benefits arising, and promote mechanisms to involve those communities, including women, in the conservation and management of ecosystems;

(f) Undertake long-term research into the importance of biodiversity for the functioning of ecosystems and the role of ecosystems in producing goods, environmental services and other values supporting sustainable development, with particular reference to the biology and reproductive capacities of key terrestrial and aquatic species, including native, cultivated and cultured species; new observation and inventory techniques; ecological conditions necessary for biodiversity conservation and continued evolution; and social behaviour and nutrition habits dependent on natural

ecosystems, where women play key roles. The work should be undertaken with the widest possible participation, especially of indigenous people and their communities, including women;

(g) Take action where necessary for the conservation of biological diversity through the in situ conservation of ecosystems and natural habitats, as well as primitive cultivars and their wild relatives, and the maintenance of recovery of viable populations of species in their natural surroundings, and implement ex situ measures, preferably in the source country. In situ measures should include the reinforcement of terrestrial, marine and aquatic protected area systems and embrace, inter alia, vulnerable freshwater and other wetland and coastal ecosystems, such as estuaries, coral reefs and mangroves;

(h) Promote the rehabilitation and restoration of damaged ecosystems and the recovery of threatened and endangered species;

(i) Develop policies to encourage the conservation of biodiversity and the sustainable use of biological and genetic resources on private lands;

(j) Promote environmentally sound and sustainable development in areas adjacent to protected areas with a view to furthering protection of these areas;

(k) Introduce appropriate environmental impact assessment procedures for proposed projects likely to have significant impacts upon biological diversity, providing for suitable information to be made widely available and for public participation, where appropriate, and encourage the assessment of the impacts of relevant policies and programmes on biological diversity;

(l) Promote, where appropriate, the establishment and strengthening of national inventory, regulation or management and control systems related to biological resources, at the appropriate level;

(m) Take measures to encourage a greater understanding and appreciation of the value of biological diversity, as manifested both in its component parts and in the ecosystem services provided.

(b) Data and information

15.6 Governments at the appropriate level, consistent with national policies and practices, with the cooperation of the relevant United Nations bodies and, as appropriate, intergovernmental organizations, and with the support of indigenous people and their communities, non-governmental organizations and other groups, including the business and scientific communities, and consistent with the requirements of international law, should, as appropriate:

(a) Regularly collate, evaluate and exchange information on the conservation of biological diversity and the sustainable use of biological resources;

(b) Develop methodologies with a view to undertaking systematic sampling and evaluation on a national basis of the components of biological diversity identified by means of country studies;

(c) Initiate or further develop methodologies and begin or continue work on surveys at the appropriate level on the status of ecosystems and establish baseline information on biological and genetic resources, including those in terrestrial, aquatic, coastal and marine ecosystems, as well as inventories undertaken with the participation of local and indigenous people and their communities;

(d) Identify and evaluate the potential economic and social implications and benefits of the conservation and sustainable use of terrestrial and aquatic species in each country, building upon the results of country studies;

(e) Undertake the updating, analysis and interpretation of data derived from the identification, sampling and evaluation activities described above;

(f) Collect, assess and make available relevant and reliable information in a timely manner and in a form suitable for decision-making at all levels, with the full support and participation of local and indigenous people and their communities.

(c) International and regional cooperation and coordination

15.7 Governments at the appropriate level, with the cooperation of the relevant United Nations bodies and, as appropriate, intergovernmental organizations, and, with the support of indigenous people and their communities, non-governmental organizations and other groups, including the business and scientific communities, and consistent with the requirements of international law, should, as appropriate:

(a) Consider the establishment or strengthening of national or international capabilities and networks for the exchange of data and information of relevance to the conservation of biological diversity and the sustainable use of biological and genetic resources;

(b) Produce regularly updated world reports on biodiversity based upon national assessments in all countries;

(c) Promote technical and scientific cooperation in the field of conservation of biological diversity and the sustainable use of biological and genetic resources. Special attention should be given to the development and strengthening of national capabilities by means of human resource development and institution-building, including the transfer of technology and/or development of research and management facilities, such as herbaria, museums, gene banks, and laboratories, related to the conservation of biodiversity;

(d) Without prejudice to the relevant provisions of the Convention on Biological Diversity, facilitate for this chapter the transfer of technologies

relevant to the conservation of biological diversity and the sustainable use of biological resources or technologies that make use of genetic resources and cause no significant damage to the environment, in conformity with chapter 3.4, and recognizing that technology includes biotechnology;

(e) Promote cooperation between the parties to relevant international conventions and action plans with the aim of strengthening and coordinating efforts to conserve biological diversity and the sustainable use of biological resources;

(f) Strengthen support for international and regional instruments, programmes and action plans concerned with the conservation of biological diversity and the sustainable use of biological resources;

(g) Promote improved international coordination of measures for the effective conservation and management of endangered/non-pest migratory species, including appropriate levels of support for the establishment and management of protected areas in transboundary locations;

(h) Promote national efforts with respect to surveys, data collection, sampling and evaluation, and the maintenance of gene banks.

Means of implementation

(a) Financing and cost evaluation

15.8 The Conference secretariat has estimated the average total annual cost (1993-2000) of implementing the activities of this chapter to be about $3.5 billion, including about $1.75 billion from the international community on grant or concessional terms. These are indicative and order-of-magnitude estimates only and have not been reviewed by Governments. Actual costs and financial terms, including any that are non-concessional, will depend upon, inter alia, the specific strategies and programmes Governments decide upon for implementation.

(b) Scientific and technological means

15.9 Specific aspects to be addressed include the need to develop:

(a) Efficient methodologies for baseline surveys and inventories, as well as for the systematic sampling and evaluation of biological resources;

(b) Methods and technologies for the conservation of biological diversity and the sustainable use of biological resources;

(c) Improved and diversified methods for ex situ conservation with a view to the long-term conservation of genetic resources of importance for research and development.

(c) Human resource development

15.10 There is a need, where appropriate, to:

(a) Increase the number and/or make more efficient use of trained personnel in scientific and technological fields relevant to the conservation of biological diversity and the sustainable use of biological resources;

(b) Maintain or establish programmes for scientific and technical education and training of managers and professionals, especially in developing countries, on measures for the identification, conservation of biological diversity and the sustainable use of biological resources;

(c) Promote and encourage understanding of the importance of the measures required for the conservation of biological diversity and the sustainable use of biological resources at all policy-making and decision-making levels in Governments, business enterprises and lending institutions, and promote and encourage the inclusion of these topics in educational programmes.

(d) Capacity-building

15.11 There is a need, where appropriate, to:

(a) Strengthen existing institutions and/or establish new ones responsible for the conservation of biological diversity and to consider the development of mechanisms such as national biodiversity institutes or centres;

(b) Continue to build capacity for the conservation of biological diversity and the sustainable use of biological resources in all relevant sectors;

(c) Build capacity, especially within Governments, business enterprises and bilateral and multilateral development agencies, for integrating biodiversity concerns, potential benefits and opportunity cost calculations into project design, implementation and evaluation processes, as well as for evaluating the impact on biological diversity of proposed development projects;

(d) Enhance the capacity of governmental and private institutions, at the appropriate level, responsible for protected area planning and management to undertake intersectoral coordination and planning with other governmental institutions, non-governmental organizations and, where appropriate, indigenous people and their communities.

3. Chapter 26 - Recognizing and strengthening the role of indigenous people and their communities

Programme Area

Basis for Action

26.1 Indigenous people and their communities have a historical relationship with their lands and are generally descendants of the original inhabitants of such lands. In the context of this chapter the term "lands" is understood to include the environment of the areas which the people concerned traditionally occupy. Indigenous people and their communities represent a significant percentage of the global population. They have developed over many generations a holistic traditional scientific knowledge of their lands, natural resources and environment. Indigenous people and their communities shall enjoy the full measure of human right and fundamental freedoms without hindrance or discrimination. Their ability to participate fully in sustainable development practices on their lands has tended to be limited as a result of factors of an economic, social and historical nature. In view of the interrelationship between the natural environment and its sustainable development and the cultural, social, economic and physical well-being of indigenous people, national and international efforts to implement environmentally sound and sustainable development should recognize, accommodate, promote and strengthen the role of indigenous people and their communities.

26.2 Some of the goals inherent in the objectives and activities of this programme area are already contained in such international legal instruments as the ILO Indigenous and Tribal peoples Convention (No. 169) and are being incorporated into the draft universal declaration on indigenous rights, being prepared by the United Nations working group on indigenous populations. The International Year for the World's Indigenous People (1993), proclaimed by the General Assembly in its resolution 45/164 of 18 December 1990, presents a timely opportunity to mobilize further international technical and financial cooperation.

Objectives

26.3 In full partnership with indigenous people and their communities, Governments and, where appropriate, intergovernmental organizations should aim at fulfilling the following objectives;

(a) Establishment of a process to empower indigenous people and their communities through measures that include:

(i) Adoption or strengthening of appropriate policies and/or legal instruments at the national level;

(ii) Recognition that the lands of indigenous people and their communities should be protected from activities that are environmentally unsound or that the indigenous people concerned consider to be socially and culturally inappropriate;

(iii) Recognition of their values, traditional knowledge and resource management practices with a view to promoting environmentally sound and sustainable development;

(iv) Recognition that traditional and direct dependence on renewable resources and ecosystems, including sustainable harvesting, continues to be essential to the cultural, economic and physical well-being of indigenous people and their communities;

(v) Development and strengthening of national dispute-resolution arrangements in relation to settlement of land and resource-management concerns;

(vi) Support for alternative environmentally sound means of production to ensure a range of choices on how to improve their quality of life so that they can effectively participate in sustainable development;

(vii) Enhancement of capacity-building for indigenous communities, based on the adaptation and exchange of traditional experience, knowledge and resource-management practices, to ensure their sustainable development;

(b) Establishment, where appropriate, of arrangements to strengthen the active participation of indigenous people and their communities in the national formulation of policies, laws and programmes relating to resource management and other development processes that may affect them, and their initiation of proposals for such policies and programmes;

(c) Involvement of indigenous people and their communities at the national and local levels in resource management and conservation strategies and other relevant programmes established to support and review sustainable development strategies, such as those suggested in other programme areas of Agenda 21.

Activities

26.4 Some indigenous people and their communities may require, in accordance with national legislation, greater control over their lands, self-management of their resources, participation in development decisions affecting them, including, where appropriate, participation in the establishment or management of protected areas. The following are some of the specific measures which Governments could take:

(a) Consider the ratification and application of existing international conventions relevant to indigenous people and their communities (where not yet done) and provide support for the adoption by the General Assembly of a declaration on indigenous rights;

(b) Adopt or strengthen appropriate policies and/or legal instruments that will protect indigenous intellectual and cultural property and the right to preserve customary and administrative systems and practices.

26.5 United Nations organizations and other international development and finance organizations and Governments should, drawing on the active participation of indigenous people and their communities, as appropriate, take the following measures, inter alia, to incorporate their values, views and knowledge, including the unique contribution of indigenous women, in resource management and other policies and programmes that may affect them:

(a) Appoint a special focal point within each international organization, and organize annual inter-oganizational coordination meetings in consultation with Governments and indigenous organizations, as appropriate, and develop a procedure within and between operational agencies for assisting Governments in ensuring the coherent and coordinated incorporation of the views of indigenous people in the design and implementation of policies and programmes. Under this procedure, indigenous people and their communities should be informed and consulted and allowed to participate in national decision-making, in particular regarding regional and international cooperative efforts. In addition, these policies and programmes should take fully into account strategies based on local indigenous initiatives;

(b) Provide technical and financial assistance for capacity-building programmes to support the sustainable self-development of indigenous people and their communities;

(c) Strengthen research and education programmes aimed at:

(i) Achieving a better understanding of indigenous people's knowledge and management experience related to the environment, and applying this to contemporary development challenges;

(ii) Increasing the efficiency of indigenous people's resource management systems, for example, by promoting the adaptation and dissemination of suitable technological innovations;

(d) Contribute to the endeavours of indigenous people and their communities in resource management and conservation strategies (such as those that may be developed under appropriate projects funded through the Global Environment Facility and the Tropical Forestry Action Plan) and other programme areas of Agenda 21, including programmes to collect, analyse and use data and other information in support of sustainable development projects.

26.6 Governments, in full partnership with indigenous people and their communities should, where appropriate:

(a) Develop or strengthen national arrangements to consult with indigenous people and their communities with a view to reflecting their needs and incorporating their values and traditional and other knowledge and practices in national policies and programmes in the filed of natural resource management and conservation and other development programmes affecting them;

(b) Cooperate at the regional level, where appropriate, to address common indigenous issues with a view to recognizing and strengthening their participation in sustainable development.

Means of implementation

(a) Financing and cost evaluation

26.7 The Conference secretariat has estimated the average total annual cost (1993-2000) of implementing the activities of this programme to be about $3 million on grant or concessional terms. These are indicative and order-of-magnitude estimates only and have not been reviewed by Governments. Actual costs and financial terms, including any that are non-concessional, will depend upon, inter alia, the specific strategies and programmes Governments decide upon for implementation.

(b) Legal and administrative frameworks

26.8 Governments should incorporate, in collaboration with the indigenous people affected, the rights and responsibilities of indigenous people and their communities in the legislation of each country, suitable to the country's specific situation. Developing countries may require technical assistance to implement these activities.

(c) Human resource development

26.9 International development agencies and Governments should commit financial and other resources to education and training for indigenous people and their communities to develop their capacities to achieve their sustainable self-development, and to contribute to and participate in sustainable and equitable development at the national level. Particular attention should be given to strengthening the role of indigenous women.

II. WORLD CONFERENCE ON HUMAN RIGHTS

Vienna Declaration and Programme of Action

The World Conference on Human Rights,

Considering that the promotion and protection of human rights is a matter of priority for the international community, and that the Conference affords a unique opportunity to carry out a comprehensive analysis of the international human rights system and of the machinery for the protection of human rights, in order to enhance and thus promote a fuller observance of those rights, in a just and balanced manner,

Recognizing and affirming that all human rights derive from the dignity and worth inherent in the human person, and that the human person is the central subject of human rights and fundamental freedoms, and consequently should be the principal beneficiary and should participate actively in the realization of these rights and freedoms,

Reaffirming their commitment to the purposes and principles contained in the Charter of the United Nations and the Universal Declaration of Human Rights,

Reaffirming the commitment contained in Article 56 of the Charter of the United Nations to take joint and separate action, placing proper emphasis on developing effective international cooperation for the realization of the purposes set out in Article 55, including universal respect for, and observance of, human rights and fundamental freedoms for all,

Emphasizing the responsibilities of all States, in conformity with the Charter of the United Nations, to develop and encourage respect for human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion,

Recalling the Preamble to the Charter of the United Nations, in particular the determination to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, and in the equal rights of men and women and of nations large and small,

Recalling also the determination expressed in the Preamble of the Charter of the United Nations to save succeeding generations from the scourge of war, to establish conditions under which justice and respect for obligations arising from treaties and other sources of international law can be maintained, to promote social progress and better standards of life in larger freedom, to practice tolerance and good neighbourliness, and to employ international machinery for the promotion of the economic and social advancement of all peoples,

Emphasizing that the Universal Declaration of Human Rights, which constitutes a common standard of achievement for all peoples and all nations, is the source of inspiration and has been the basis for the United Nations in making advances in standard setting as contained in the existing international human rights instruments, in particular the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.

Considering the major changes taking place on the international scene and the aspirations of all the peoples for an international order based on the principles enshrined in the Charter of the United Nations, including promoting and encouraging respect for human rights and fundamental freedoms for all and respect for the principle of equal rights and self-determination of peoples, peace, democracy, justice, equality, rule of law, pluralism, development, better standards of living and solidarity,

Deeply concerned by various forms of discrimination and violence, to which women continue to be exposed all over the world,

Recognizing that the activities of the United Nations in the field of human rights should be rationalized and enhanced in order to strengthen the United Nations machinery in this field and to further the objectives of universal respect for observance of international human rights standards,

Having taken into account the Declarations adopted by the three regional meetings at Tunis, San José and Bangkok and the contributions made by Governments, and bearing in mind the suggestions made by intergovernmental and

non-governmental organizations, as well as the studies prepared by independent experts during the preparatory process leading to the World Conference on Human Rights,

Welcoming the International Year of the World's Indigenous People 1993 as a reaffirmation of the commitment of the international community to ensure their enjoyment of all human rights and fundamental freedoms and to respect the value and diversity of their cultures and identities,

Recognizing also that the international community should devise ways and means to remove the current obstacles and meet challenges to the full realization of all human rights and to prevent the continuation of human rights violations resulting thereof throughout the world,

Invoking the spirit of our age and the realities of our time which call upon the peoples of the world and all States Members of the United Nations to rededicate themselves to the global task of promoting and protecting all human rights and fundamental freedoms so as to secure full and universal enjoyment of these rights,

Determined to take new steps forward in the commitment of the international community with a view to achieving substantial progress in human rights endeavours by an increased and sustained effort of international cooperation and solidarity,

Solemnly adopts the Vienna Declaration and Programme of Action.

...

20. The World Conference on Human Rights recognizes the inherent dignity and the unique contribution of indigenous people to the development and plurality of society and strongly reaffirms the commitment of the international community to their economic, social and cultural well-being and their enjoyment of the fruits of sustainable development. States should ensure the full and free participation of indigenous people in all aspects of society, in particular in matters of concern to them. Considering the importance of the promotion and protection of the rights of indigenous people, and the contribution of such promotion and protection to the political and social stability of the States in which such people live, States should, in accordance with international law, take concerted positive steps to ensure respect for all human rights and fundamental freedoms of indigenous people, on the basis of equality and non-discrimination, and recognize the value and diversity of their distinct identities, cultures and social organization.

...

B. Equality, dignity and tolerance

2. Persons belonging to national or ethnic, religious and linguistic minorities

Indigenous people

28. The World Conference on Human Rights calls on the Working Group on Indigenous Populations of the Sub-Commission on Prevention of Discrimination and Protection of Minorities to complete the drafting of a declaration on the rights of indigenous people at its eleventh session.

29. The World Conference on Human Rights recommends that the Commission on Human Rights consider the renewal and updating of the mandate of the Working Group on Indigenous Populations upon completion of the drafting of a declaration on the rights of indigenous people.

30. The World Conference on Human Rights also recommends that advisory services and technical assistance programmes within the United Nations system respond positively to requests by States for assistance which would be of direct benefit to indigenous people. The World Conference on Human Rights further recommends that adequate human and financial resources be made available to the Centre for Human Rights within the overall framework of strengthening the Centre's activities as envisaged by this document.

31. The World Conference on Human Rights urges States to ensure the full and free participation of indigenous people in all aspects of society, in particular in matters of concern to them.

32. The World Conference on Human Rights recommends that the General Assembly proclaim an international decade of the world's indigenous people, to begin from January 1994, including action-orientated programmes, to be decided upon in partnership with indigenous people. An appropriate voluntary trust fund should be set up for this purpose. In the framework of such a decade, the establishment of a permanent forum for indigenous people in the United Nations system should be considered.

III. INTERNATIONAL CONFERENCE ON POPULATION AND DEVELOPMENT

Programme of Action

A. Chapter II - Principles

The implementation of the recommendations contained in the Programme of Action is the sovereign right of each country, consistent with national laws and development priorities, with full respect for the various religious and ethical values and cultural backgrounds of its people, and in conformity with universally recognized international human rights.

International cooperation and universal solidarity, guided by the principles of the Charter of the United Nations, and in a spirit of partnership, are crucial in order to improve the quality of life of the peoples of the world.

In addressing the mandate of the International Conference on Population and Development and its overall theme, the interrelationships between population, sustained economic growth and sustainable development, and in their deliberations, the participants were and will continue to be guided by the following set of principles:

Principle 1

All human beings are born free and equal in dignity and rights. Everyone is entitled to all the rights and freedoms set forth in the Universal Declaration of Human Rights, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Everyone has the right to life, liberty and security of person.

Principle 2

Human beings are at the centre of concerns for sustainable development. They are entitled to a healthy and productive life in harmony with nature. People are the most important and valuable resource of any nation. Countries should ensure that all individuals are given the opportunity to make the most of their potential. They have the right to an adequate standard of living for themselves and their families, including adequate food, clothing, housing, water and sanitation.

Principle 3

The right to development is a universal and inalienable right and an integral part of fundamental human rights, and the human person is the central subject of development. While development facilitates the enjoyment of all human rights, the lack of development may not be invoked to justify the abridgement of internationally recognized human rights. The right to development must be fulfilled so as to equitably meet the population, development and environment needs of present and future generations.

Principle 4

Advancing gender equality and equity and the empowerment of women, and the elimination of all kinds of violence against women, and ensuring women's ability to control their own fertility, are cornerstones of population and development-related programmes. The human rights of women and the girl child are an inalienable, integral and indivisible part of universal human rights. The full and equal participation of women in civil, cultural, economic, political and social life, at the national, regional and international levels, and the eradication of all forms of discrimination on grounds of sex, are priority objectives of the international community.

Principle 5

Population-related goals and policies are integral parts of cultural, economic and social development, the principal aim of which is to improve the quality of life of all people.

Principle 6

Sustainable development as a means to ensure human well-being, equitably shared by all people today and in the future, requires that the interrelationships between population, resources, the environment and development should be fully recognized, properly managed and brought into harmonious, dynamic balance. To achieve sustainable development and a higher quality of life for all people, States should reduce and eliminate unsustainable patterns of production and consumption and promote appropriate policies, including population-related policies, in order to meet the needs of current generations without compromising the ability of future generations to meet their own needs.

Principle 7

All States and all people shall cooperate in the essential task of eradicating poverty as an indispensable requirement for sustainable development, in order to decrease the disparities in standards of living and better meet the needs of the majority of the people of the world. The special situation and needs of developing countries, particularly the least developed, shall be given special priority. Countries with economies in transition, as well as all other countries, need to be fully integrated into the world economy.

Principle 8

Everyone has the right to the enjoyment of the highest attainable standard of physical and mental health. States should take all appropriate measures to ensure, on a basis of equality of men and women, universal access to health-care services, including those related to reproductive health care, which includes family planning and sexual health. Reproductive health-care programmes should provide the widest range of services without any form of coercion. All couples and individuals have the basic right to decide freely and responsibly the number and spacing of their children and to have the information, education and means to do so.

Principle 9

The family is the basic unit of society and as such should be strengthened. It is entitled to receive comprehensive protection and support. In different cultural, political and social systems, various forms of the family exist. Marriage must be entered into with the free consent of the intending spouses, and husband and wife should be equal partners.

Principle 10

Everyone has the right to education, which shall be directed to the full development of human resources, and human dignity and potential, with particular attention to women and the girl child. Education should be designed to strengthen respect for human rights and fundamental freedoms, including those relating to population and development. The best interests of

the child shall be the guiding principle of those responsible for his or her education and guidance; that responsibility lies in the first place with the parents.

Principle 11

All States and families should give the highest possible priority to children. The child has the right to standards of living adequate for its well-being and the right to the highest attainable standards of health, and the right to education. The child has the right to be cared for, guided and supported by parents, families and society and to be protected by appropriate legislative, administrative, social and educational measures from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sale, trafficking, sexual abuse, and trafficking in its organs.

Principle 12

Countries receiving documented migrants should provide proper treatment and adequate social welfare services for them and their families, and should ensure their physical safety and security, bearing in mind the special circumstances and needs of countries, in particular developing countries, attempting to meet these objectives or requirements with regard to undocumented migrants, in conformity with the provisions of relevant conventions and international instruments and documents. Countries should guarantee to all migrants all basic human rights as included in the Universal Declaration of Human Rights.

Principle 13

Everyone has the right to seek and enjoy in other countries asylum from persecution. States have responsibilities with respect to refugees as set forth in the Geneva Convention on the Status of Refugees and its 1967 Protocol.

Principle 14

In considering the population and development needs of indigenous people, States should recognize and support their identity, culture and interests, and enable them to participate fully in the economic, political and social life of the country, particularly where their health, education and well-being are affected.

Principle 15

Sustained economic growth, in the context of sustainable development, and social progress require that growth be broadly based, offering equal opportunities to all people. All countries should recognize their common but differentiated responsibilities. The developed countries acknowledge the responsibility that they bear in the international pursuit of sustainable development, and should continue to improve their efforts to promote sustained economic growth and to narrow imbalances in a manner that can benefit all countries, particularly the developing countries.

B. Chapter VI.D - Indigenous people

Basis for action

6.21 Indigenous people have a distinct and important perspective on population and development relationships, frequently quite different from those of the populations with which they interrelate within national boundaries. In some regions of the world, indigenous people, after long periods of population loss, are experiencing steady and in some places rapid population growth resulting from declining mortality, although morbidity and mortality are generally still much higher than for other sections of the national population. In other regions, however, they are still experiencing a steady population decline as a result of contact with external diseases, loss of land and resources, ecological destruction, displacement, resettlement and disruption of their families, communities and social systems.

6.22 The situation of many indigenous groups is often characterized by discrimination and oppression, which are sometimes even institutionalized in national laws and structures of governance. In many cases, unsustainable patterns of production and consumption in the society at large are a key factor in the ongoing destruction of the ecological stability of their lands, as well as in an ongoing exertion of pressure to displace them from those lands. Indigenous people believe that recognition of their rights to their ancestral lands is inextricably linked to sustainable development. Indigenous people call for increased respect for indigenous culture, spirituality, lifestyles and sustainable development models, including traditional systems of land tenure, gender relations, use of resources and knowledge and practice of family planning. At national, regional and international levels, the perspectives of indigenous people have gained increasing recognition, as reflected, inter alia, in the presence of the Working Group on Indigenous Populations at the United Nations Conference on Environment and Development, and the proclamation by the General Assembly of the year 1993 as the International Year of the World's Indigenous People.

6.23 The decision of the international community to proclaim an International Decade of the World's Indigenous People, to commence on 10 December 1994, represents a further important step towards fulfilment of the aspirations of indigenous people. The goal of the Decade, which is the strengthening of international cooperation for the solution of problems faced by indigenous people in such areas as human rights, the environment, development, education and health, is acknowledged as directly related to the purpose of the International Conference on Population and Development and the present Programme of Action. Accordingly, the distinct perspectives of indigenous people are incorporated throughout the present Programme of Action within the context of its specific chapters.

Objectives

6.24 The objectives are:

(a) To incorporate the perspectives and needs of indigenous communities into the design, implementation, monitoring and evaluation of the population, development and environment programmes that affect them;

(b) To ensure that indigenous people receive population- and development-related services that they deem socially, culturally and ecologically appropriate;

(c) To address social and economic factors that act to disadvantage indigenous people.

Actions

6.25 Governments and other important institutions in society should recognize the distinct perspective of indigenous people on aspects of population and development and, in consultation with indigenous people and in collaboration with concerned non-governmental and inter-governmental organizations, should address their specific needs, including needs for primary health care and reproductive health services. All human rights violations and discrimination, especially all forms of coercion, must be eliminated.

6.26 Within the context of the activities of the International Decade of the World's Indigenous People, the United Nations should, in full cooperation and collaboration with indigenous people and their relevant organizations, develop an enhanced understanding of indigenous people and compile data on their demographic characteristics, both current and historical, as a means of improving the understanding of the population status of indigenous people. Special efforts are necessary to integrate statistics pertaining to indigenous populations into the national data-collection system.

6.27 Governments should respect the cultures of indigenous people and enable them to have tenure and manage their lands, protect and restore the natural resources and ecosystems on which 'indigenous communities depend for their survival and well-being and, in consultation with indigenous people, take this into account in the formulation of national population and development policies.

IV. WORLD SUMMIT FOR SOCIAL DEVELOPMENT

A. Copenhagen Declaration on Social Development

...

8. We acknowledge that people are at the centre of our concerns for sustainable development and that they are entitled to a healthy and productive life in harmony with the environment.

...

Principles and goals

25. We heads of State and Government are committed to a political, economic, ethical and spiritual vision for social development that is based on human dignity, human rights, equality, respect, peace, democracy, mutual responsibility and cooperation, and full respect for the various religious and ethical values and cultural backgrounds of people. Accordingly, we will give

the highest priority in national, regional and international policies and actions to the promotion of social progress, justice and the betterment of the human condition, based on full participation by all.

26. To this end, we will create a framework for action to:

(m) Recognize and support indigenous people in their pursuit of economic and social development, with full respect for their identity, traditions, forms of social organization and cultural values;

...

Commitment 4

We commit ourselves to promoting social integration by fostering societies that are stable, safe and just and that are based on the promotion and protection of all human rights, as well as on non-discrimination, tolerance, respect for diversity, equality of opportunity, solidarity, security, and participation of all people, including disadvantaged and vulnerable groups and persons.

To this end, at the national level, we will:

...

(f) Recognize and respect the right of indigenous people to maintain and develop their identity, culture and interests, support their aspirations for social justice and provide an environment that enables them to participate in the social, economic and political life of their country;

...

(j) Strengthen the ability of local communities and groups with common concerns to develop their own organizations and resources and to propose policies relating to social development, including through the activities of non-governmental organizations;

...

Commitment 6

We commit ourselves to promoting and attaining the goals of universal and equitable access to quality education, the highest attainable standard of physical and mental health, and the access of all to primary health care, making particular efforts to rectify inequalities relating to social conditions and without distinction as to race, national origin, gender, age or disability; respecting and promoting our common and particular cultures; striving to strengthen the role of culture in development; preserving the essential bases of people-centred sustainable development; and contributing to the full development of human resources and to social development. The purpose of these activities is to eradicate poverty, promote full and productive employment and foster social integration.

To this end, at the national level, we will:

...

(g) Recognize and support the right of indigenous people to education in a manner that is responsive to their specific needs, aspirations and cultures, and ensure their full access to health care;

B. Programme of Action

1. Chapter II - Eradication of poverty

Basis for action and objectives

18. Over 1 billion people in the world today live under unacceptable conditions of poverty, mostly in developing countries, and particularly in rural areas of low-income Asia and the Pacific, Africa, Latin America and the Caribbean, and the least developed countries.

19. Poverty has various manifestations, including lack of income and productive resources sufficient to ensure sustainable livelihoods; hunger and malnutrition; ill health; limited or lack of access to education and other basic services; increased morbidity and mortality from illness; homelessness and inadequate housing; unsafe environments; and social discrimination and exclusion. It is also characterized by a lack of participation in decision-making and in civil, social and cultural life. It occurs in all countries: as mass poverty in many developing countries, pockets of poverty amid wealth in developed countries, loss of livelihoods as a result of economic recession, sudden poverty as a result of disaster or conflict, the poverty of low-wage workers, and the utter destitution of people who fall outside family support systems, social institutions and safety nets. Women bear a disproportionate burden of poverty, and children growing up in poverty are often permanently disadvantaged. Older people, people with disabilities, indigenous people, refugees and internally displaced persons are also particularly vulnerable to poverty. Furthermore, poverty in its various forms represents a barrier to communication and access to services, as well as a major health risk, and people living in poverty are particularly vulnerable to the consequences of disasters and conflicts. Absolute poverty is a condition characterized by severe deprivation of basic human needs, including food, safe drinking water, sanitation facilities, health, shelter, education and information. It depends not only on income but also on access to social services.

...

Actions

A. Formulation of integrated strategies

26. Governments should give greater focus to public efforts to eradicate absolute poverty and to reduce overall poverty substantially by:

...

(d) Selecting, wherever possible, development schemes that do not displace local populations, and designing an appropriate policy and legal framework to compensate the displaced for their losses, to help them to re-establish their livelihoods and to promote their recovery from social and cultural disruption;

(e) Designing and implementing environmental protection and resource management measures that take into account the needs of people living in poverty and vulnerable groups in accordance with Agenda 21 and the various consensus agreements, conventions and programmes of action adopted in the framework of the follow-up to the United Nations Conference on Environment and Development;

(f) Establishing and strengthening, as appropriate, mechanisms for the coordination of efforts to combat poverty, in collaboration with civil society, including the private sector, and developing integrated intersectoral and intra-governmental responses for such purposes.

...

B. Improved access to productive resources and infrastructure

31. The opportunities for income generation, diversification of activities and increase of productivity in low-income and poor communities should be enhanced by:

...

(f) Protecting, within the national context, the traditional rights to land and other resources of pastoralists, fishery workers and nomadic and indigenous people, and strengthening land management in the areas of pastoral or nomadic activity, building on traditional communal practices, controlling encroachment by others, and developing improved systems of range management and access to water, markets, credit, animal production, veterinary services, health including health services, education and information;

...

(h) Strengthening agricultural training and extension services to promote a more effective use of existing technologies and indigenous knowledge systems and to disseminate new technologies in order to reach both men and women farmers and other agricultural workers, including through the hiring of more women as extension workers;

...

C. Meeting the basic human needs of all

35. Governments, in partnership with all other development actors, in particular with people living in poverty and their organizations, should cooperate to meet the basic human needs of all, including people living in poverty and vulnerable groups, by:

...

(e) Taking particular actions to enhance the productive capacities of indigenous people, ensuring their full and equal access to social services and their participation in the elaboration and implementation of policies that affect their development, with full respect for their cultures, languages, traditions and forms of social organizations, as well as their own initiatives;

...

(i) Ensuring that people living in poverty have full and equal access to justice, including knowledge of their rights and, as appropriate, through the provision of free legal assistance. The legal system should be made more sensitive and responsive to the needs and special circumstances of vulnerable and disadvantaged groups in order to ensure a strong and independent administration of justice;

...

D. Enhanced social protection and reduced vulnerability

38. Social protection systems should be based on legislation and, as appropriate, strengthened and expanded, as necessary, in order to protect from poverty people who cannot find work; people who cannot work due to sickness, disability, old age or maternity, or to their caring for children and sick or older relatives; families that have lost a breadwinner through death or marital break up; and people who have lost their livelihoods due to natural disasters or civil violence, wars or forced displacement. Due attention should be given to people affected by the human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS) pandemic. Actions to this end should include:

...

(g) Addressing the special needs of indigenous children and their families, particularly those living in poor areas, enabling them to benefit adequately from economic and social development programmes, with full respect for their cultures, languages and traditions;

2. Chapter III - Expansion of productive employment and reduction of unemployment

D. Enhanced employment opportunities for groups with specific needs

...

61. The full participation of indigenous people in the labour market and their equal access to employment opportunities requires developing comprehensive employment, education and training programmes that take account of the particular needs of indigenous people.

3. Chapter IV - Social integration

...

67. Progress has been noted, as shown in the continuation of the ongoing process of decolonization; the elimination of apartheid; the spread of democracy; wider recognition of the need to respect human dignity, all human rights and fundamental freedoms and cultural diversity; the unacceptability of discrimination; increasing recognition of the unique concerns of indigenous people in the world; an expanded notion of collective responsibility for all members of a society; expanded economic and educational opportunities and the globalization of communication; and greater possibilities for social mobility, choice and autonomy of action.

...

C. Equality and social justice

74. Governments should promote equality and social justice by:

...

(h) Expanding basic education by developing special measures to provide schooling for children and youth living in sparsely populated and remote areas, for children and youth of nomadic, pastoral, migrant or indigenous parents, and for street children, children and youth working or looking after younger siblings and disabled or aged parents, and disabled children and youth; establishing, in partnership with indigenous people, educational systems that will meet the unique needs of their cultures;

...

D. Responses to special social needs

75. Governmental responses to special needs of social groups should include:

...

(g) Promoting and protecting the rights of indigenous people, and empowering them to make choices that enable them to retain their cultural identity while participating in national, economic and social life, with full respect for their cultural values, languages, traditions and forms of social organization;

...

V. FOURTH WORLD CONFERENCE ON WOMEN

A. Beijing Declaration

1. We, the Governments participating in the Fourth World Conference on Women,

2. Gathered here in Beijing in September 1995, the year of the fiftieth anniversary of the founding of the United Nations,

3. Determined to advance the goals of equality, development and peace for all women everywhere in the interest of all humanity,

4. Acknowledging the voices of all women everywhere and taking note of the diversity of women and their roles and circumstances, honouring the women who paved the way and inspired by the hope present in the world's youth,

5. Recognize that the status of women has advanced in some important respects in the past decade but that progress has been uneven, inequalities between women and men have persisted and major obstacles remain, with serious consequences for the well-being of all people,

6. Also recognize that this situation is exacerbated by the increasing poverty that is affecting the lives of the majority of the world's people, in particular women and children, with origins in both the national and international domains,

7. Dedicate ourselves unreservedly to addressing these constraints and obstacles and thus enhancing further the advancement and empowerment of women all over the world, and agree that this requires urgent action in the spirit of determination, hope, cooperation and solidarity, now and to carry us forward into the next century.

We reaffirm our commitment to:

8. The equal rights and inherent human dignity of women and men and other purposes and principles enshrined in the Charter of the United Nations, to the Universal Declaration of Human Rights and other international human rights instruments, in particular the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child, as well as the Declaration on the Elimination of Violence against Women and the Declaration on the Right to Development;

9. Ensure the full implementation of the human rights of women and of the girl child as an inalienable, integral and indivisible part of all human rights and fundamental freedoms;

10. Build on consensus and progress made at previous United Nations conferences and summits - on women in Nairobi in 1985, on children in New York in 1990, on environment and development in Rio de Janeiro in 1992, on human rights in Vienna in 1993, on population and development in Cairo in 1994 and on social development in Copenhagen in 1995 with the objective of achieving equality, development and peace;

11. Achieve the full and effective implementation of the Nairobi Forward-looking Strategies for the Advancement of Women;

12. The empowerment and advancement of women, including the right to freedom of thought, conscience, religion and belief, thus contributing to the moral, ethical, spiritual and intellectual needs of women and men,

individually or in community with others and thereby guaranteeing them the possibility of realizing their full potential in society and shaping their lives in accordance with their own aspirations.

We are convinced that:

13. Women's empowerment and their full participation on the basis of equality in all spheres of society, including participation in the decision-making process and access to power, are fundamental for the achievement of equality, development and peace;

14. Women's rights are human rights;

15. Equal rights, opportunities and access to resources, equal sharing of responsibilities for the family by men and women, and a harmonious partnership between them are critical to their well-being and that of their families as well as to the consolidation of democracy;

16. Eradication of poverty based on sustained economic growth, social development, environmental protection and social justice requires the involvement of women in economic and social development, equal opportunities and the full and equal participation of women and men as agents and beneficiaries of people-centred sustainable development;

17. The explicit recognition and reaffirmation of the right of all women to control all aspects of their health, in particular their own fertility, is basic to their empowerment;

18. Local, national, regional and global peace is attainable and is inextricably linked with the advancement of women, who are a fundamental force for leadership, conflict resolution and the promotion of lasting peace at all levels;

19. It is essential to design, implement and monitor, with the full participation of women, effective, efficient and mutually reinforcing gender-sensitive policies and programmes, including development policies and programmes, at all levels that will foster the empowerment and advancement of women;

20. The participation and contribution of all actors of civil society, particularly women's groups and networks and other non-governmental organizations and community-based organizations, with full respect for their autonomy, in cooperation with Governments, are important to the effective implementation and follow-up of the Platform for Action;

21. The implementation of the Platform for Action requires commitment from Governments and the international community. By making national and international commitments for action, including those made at the Conference, Governments and the international community recognize the need to take priority action for the empowerment and advancement of women.

We are determined to:

22. Intensify efforts and actions to achieve the goals of the Nairobi Forward-looking Strategies for the Advancement of Women by the end of this century;

23. Ensure the full enjoyment by women and the girl child of all human rights and fundamental freedoms and take effective action against violations of these rights and freedoms;

24. Take all necessary measures to eliminate all forms of discrimination against women and the girl child and remove all obstacles to gender equality and the advancement and empowerment of women;

25. Encourage men to participate fully in all actions towards equality;

26. Promote women's economic independence, including employment, and eradicate the persistent and increasing burden of poverty on women by addressing the structural causes of poverty through changes in economic structures, ensuring equal access for all women, including those in rural areas, as vital development agents, to productive resources, opportunities and public services;

27. Promote people-centred sustainable development, including sustained economic growth, through the provision of basic education, life-long education, literacy and training, and primary health care for girls and women;

28. Take positive steps to ensure peace for the advancement of women and, recognizing the leading role that women have played in the peace movement, work actively towards general and complete disarmament under strict and effective international control, and support negotiations on the conclusion, without delay, of a universal and multilaterally and effectively verifiable comprehensive nuclear-test-ban treaty which contributes to nuclear disarmament and the prevention of the proliferation of nuclear weapons in all its aspects;

29. Prevent and eliminate all forms of violence against women and girls;

30. Ensure equal access to and equal treatment of women and men in education and health care and enhance women's sexual and reproductive health as well as education;

31. Promote and protect all human rights of women and girls;

32. Intensify efforts to ensure equal enjoyment of all human rights and fundamental freedoms for all women and girls who face multiple barriers to their empowerment and advancement because of such factors as their race, age, language, ethnicity, culture, religion, or disability, or because they are indigenous people;

33. Ensure respect for international law, including humanitarian law, in order to protect women and girls in particular;

34. Develop the fullest potential of girls and women of all ages, ensure their full and equal participation in building a better world for all and enhance their role in the development process.

We are determined to:

35. Ensure women's equal access to economic resources, including land, credit, science and technology, vocational training, information, communication and markets, as a means to further the advancement and empowerment of women and girls, including through the enhancement of their capacities to enjoy the benefits of equal access to these resources, inter alia, by means of international cooperation;

36. Ensure the success of the Platform for Action, which will require a strong commitment on the part of Governments, international organizations and institutions at all levels. We are deeply convinced that economic development, social development and environmental protection are interdependent and mutually reinforcing components of sustainable development, which is the framework for our efforts to achieve a higher quality of life for all people. Equitable social development that recognizes empowering the poor, particularly women living in poverty, to utilize environmental resources sustainably is a necessary foundation for sustainable development. We also recognize that broad-based and sustained economic growth in the context of sustainable development is necessary to sustain social development and social justice. The success of the Platform for Action will also require adequate mobilization of resources at the national and international levels as well as new and additional resources to the developing countries from all available funding mechanisms, including multilateral, bilateral and private sources for the advancement of women; financial resources to strengthen the capacity of national, subregional, regional and international institutions; a commitment to equal rights, equal responsibilities and equal opportunities and to the equal participation of women and men in all national, regional and international bodies and policy-making processes; and the establishment or strengthening of mechanisms at all levels for accountability to the world's women;

37. Ensure also the success of the Platform for Action in countries with economies in transition, which will require continued international cooperation and assistance;

38. We hereby adopt and commit ourselves as Governments to implement the following Platform for Action, ensuring that a gender perspective is reflected in all our policies and programmes. We urge the United Nations system, regional and international financial institutions, other relevant regional and international institutions and all women and men, as well as non-governmental organizations, with full respect for their autonomy, and all sectors of civil society, in cooperation with Governments, to fully commit themselves and contribute to the implementation of this Platform for Action.

B. Beijing Platform for Action

1. Violence against women

...

116. Some groups of women, such as women belonging to minority groups, indigenous women, refugee women, women migrants, including women migrant workers, women in poverty living in rural or remote communities, destitute women, women in institutions or in detention, female children, women with disabilities, elderly women, displaced women, repatriated women, women living in poverty and women in situations of armed conflict, foreign occupation, wars of aggression, civil wars, terrorism, including hostage-taking, are also particularly vulnerable to violence.

2. Strategic objective I.1. - Promote and protect the human rights of women through the full implementation of all human rights instruments, especially the Convention on the Elimination of All Forms of Discrimination against Women

Actions to be taken

230. By Governments:

...

(o) Taking into account the need to ensure full respect for the human rights of indigenous women, consider a declaration on the rights of indigenous people for adoption by the General Assembly within the International Decade of the World's Indigenous People and encourage the participation of indigenous women in the working group elaborating the draft declaration, in accordance with the provisions for the participation of organizations of indigenous people.

3. Strategic objective I.3. - Achieve legal literacy

Actions to be taken

233. By Governments and non-governmental organizations, the United Nations and other international organizations, as appropriate:

(a) Translate, whenever possible, into local and indigenous languages and into alternative formats appropriate for persons with disabilities and persons at lower levels of literacy, publicize and disseminate laws and information relating to the equal status and human rights of all women, including the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Rights of the Child, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Declaration on the Right to Development and the Declaration on the Elimination of Violence against Women,

as well as the outcomes of relevant United Nations conferences and summits and national reports to the Committee on the Elimination of Discrimination against Women;

...

4. Strategic objective J.1. - Increase the participation and access of women to expression and decision-making in and through the media and new technologies of communication

Actions to be taken

...

242. By non-governmental organizations and media professional organizations:

...

(d) Encourage the media industry and education and media training institutions to develop, in appropriate languages, traditional, indigenous and other ethnic forms of media, such as story-telling, drama, poetry and song, reflecting their cultures, and utilize these forms of communication to disseminate information on development and social issues.